

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

1) VIDEO GAMING TECHNOLOGIES, INC.,	)	
	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 4:17-cv-00454-GKF-jfj
	)	
1) CASTLE HILL STUDIOS LLC	)	
(d/b/a CASTLE HILL GAMING);	)	
2) CASTLE HILL HOLDING LLC	)	
(d/b/a CASTLE HILL GAMING); and	)	
3) IRONWORKS DEVELOPMENT, LLC	)	
(d/b/a CASTLE HILL GAMING)	)	
	)	
Defendants.	)	

**JOINT NOTICE OF SUBMISSION OF HARD COPY  
ANNOTATED TRANSCRIPT FOR BRANDON BOOKER**

Plaintiff, with Defendants’ consent, hereby provides notice of the joint submission to the Court Clerk of a hard copy transcript of the Parties’ deposition designations and counter-designations annotated with the Parties’ objections for the deposition of Brandon Booker. As described in Plaintiff’s August 15, 2019 Notice of Submission of Hard Copy Transcripts Annotated with Objections, the Parties learned during the course of preparing annotated transcripts that a pagination error resulted in a misalignment of VGT’s designations, CHG’s counter-designations, and the Parties’ resulting objections. Rather than submit an erroneous transcript to the Court, the Parties agreed instead to make this joint submission of an annotated transcript that accurately reflects the Parties’ intent.

Note that certain portions of the deposition has been designated as either **CONFIDENTIAL** or **HIGHLY CONFIDENTIAL** by one or both of the Parties pursuant to the Court’s Protective Order (Dkt. 55).

VGT uses the following color-coding for the Parties' designations and counter-designations:

- **CHG's Designations in Blue;**
- **VGT's Designations in Red;**
- **VGT's Counter Designations in Green;** and
- **CHG's Counter-Designations in Purple.**

VGT uses the following abbreviations for VGT's objections:

Code	Objection
<b>A</b>	Argumentative
<b>B</b>	Violates Best Evidence Rule (FRE 1002-1004)
<b>C</b>	Compound
<b>D</b>	Duplicative/Cumulative
<b>EX</b>	Topic excluded by Court Order ( <i>e.g.</i> , Dkts. 344, 345)
<b>F</b>	Lacks Foundation/Lacks Personal Knowledge/Calls for Speculation (FRE 602)
<b>H</b>	Hearsay/Improper Use of Deposition (FRE 801-802; FRCP 32)
<b>I</b>	Improper/Incomplete Designation (FRE 106; FRCP 32(a)(6))
<b>IC</b>	Improper Counter-Designation (FRE 106; FRCP 32(a)(6))
<b>IO</b>	Calls for Improper Lay or Expert Opinion (FRE 701-703)
<b>L</b>	Leading
<b>LC</b>	Calls for Improper Legal Conclusion (FRE 403)
<b>M</b>	Misleading/Mischaracterizes Prior Testimony
<b>MD</b>	Mischaracterizes Underlying Document (FRE 401-403)
<b>NE</b>	Assumes Facts Not in Evidence (FRE 103)
<b>NR</b>	Nonresponsive
<b>P</b>	Prejudice/Confusion/Delay/Waste of Time (FRE 403)
<b>R</b>	Relevance (FRE 401/402)
<b>SC</b>	Beyond the Scope of the Witness's Testimony as a Corporate Representative
<b>V</b>	Vague/Ambiguous/Overbroad

The Parties' designations, counter-designations, and objections are summarized as follows:

**Plaintiff's Designations and Defendants' Objections**

<b>Brandon Booker</b> <b>July 10, 2018</b>		
<b>Plaintiff's Designations</b>	<b>Defendants' Objections (Pages &amp; Lines)</b>	<b>Defendants' Objections (Grounds)</b>
6:22 - 6:24		
7:5 - 7:14		
8:20 - 9:1		
9:11 - 9:14		
34:22 - 35:2		
35:11 - 35:19		
52:24 - 52:25		
54:12 - 54:17		
54:23 - 54:25		
55:21 - 56:18		
57:18 - 58:3		
59:22 - 59:25		
62:2 - 62:21	62:7 - 62:21	Objection: Relevance; hearsay; calls for speculation
66:18 - 67:14	66:18 - 67:14	Objection: Relevance; hearsay
67:23 - 68:13	67:23 - 68:13	Objection: Relevance; hearsay; speculation
70:10 - 70:16	70:10 - 70:16	Objection: Relevance; hearsay
72:3 - 72:18	72:3 - 72:18	Objection: Relevance
73:16 - 74:8	73:16 - 74:8	Objection: Relevance
77:1 - 78:6		
80:25 - 82:4	80:25 - 82:4	Objection: Relevance
84:19 - 84:22		
118:5 - 118:19		
119:3 - 120:12	119:3 - 119:7	Objection: Relevance; hearsay
	119:8 - 120:12	Objection: Relevance; hearsay
120:15 - 120:19	120:15 - 120:19	Objection: Relevance; hearsay; argumentative; document contains hearsay
121:4 - 121:14		
122:15 - 122:18		
123:21 - 124:20	123:21 - 124:20	Objection: Relevance; hearsay; argumentative; document contains hearsay
124:23 - 127:9	124:23 - 127:9	Objection: Relevance; hearsay; argumentative; document contains hearsay

130:18 - 130:23	130:18 - 130:23	Objection: Relevance; hearsay; document contains hearsay
130:25 - 131:14	130:25 - 131:14	Objection: Relevance; hearsay; document contains hearsay
132:13 - 132:18		
134:21 - 135:1	134:21 - 135:1	Objection: Relevance
160:11 - 161:4		
161:9 - 161:13		
164:11 - 164:16	164:11 - 164:16	Objection: Relevance; hearsay; vague; compound question; calls for speculation
164:19 - 164:19	164:19 - 164:19	Objection: Relevance; hearsay; vague; compound question; calls for speculation
167:11 - 168:4	167:11 - 167:19	Objection: Relevance; hearsay; calls for speculation
169:6 - 170:16	169:6 - 170:22	Objection: Double hearsay; relevance
171:8 - 171:9	171:8 - 171:9	Objection: Relevance; hearsay; argumentative
171:12 - 171:18	171:12 - 171:18	Objection: Relevance; hearsay; argumentative
175:7 - 175:9		
181:24 - 182:4	181:24 - 182:4	Objection: Relevance
182:24 - 185:22	182:24 - 185:22	Objection: Relevance; hearsay
186:18 - 187:3	186:18 - 187:3	Objection: Relevance; hearsay
188:3 - 189:22	188:3 - 189:22	Objection: Relevance; hearsay; calls for speculation; calls for a lay opinion
194:24 - 195:12		
199:5 - 199:19		
203:4 - 205:2		
206:6 - 206:25	206:6 - 206:25	Objection: Relevance, as there is absolutely no claim that Mr. Booker ever used any VGT code at Castle Hill in any manner; argumentative; calls for speculation
207:18 - 208:2	207:18 - 208:2	Objection: Relevance, as there is absolutely no claim in the complaint that Mr. Booker or Mr. Morgan ever used any VGT code at Castle Hill in any manner; argumentative; calls for speculation; calls for a legal conclusion
208:4 - 209:21	208:4 - 209:21	Objection: Relevance, as there is absolutely no claim in the complaint that Mr. Booker or Mr. Morgan ever used any VGT code at Castle Hill in any manner; argumentative; calls for speculation; calls for a legal conclusion
209:24 - 209:24	209:24 - 209:24	Objection: Relevance, as there is absolutely no claim in the complaint that Mr. Booker or Mr. Morgan ever used any VGT code at Castle Hill in any manner; argumentative; calls for speculation; calls for a legal conclusion

217:6 - 217:7	217:6 - 217:7	Objection: Relevance, as there is absolutely no claim that Mr. Booker ever used any VGT code at Castle Hill in any manner; argumentative; calls for speculation
217:10 - 217:20	217:10 - 217:20	Objection: Relevance, as there is absolutely no claim that Mr. Booker ever used any VGT code at Castle Hill in any manner; argumentative; calls for speculation
219:11 - 219:18	219:11 - 219:19	Objection: Relevance, as there is absolutely no claim that Mr. Booker ever used any VGT code at Castle Hill in any manner; argumentative; calls for speculation
222:8 - 222:19	222:8 - 222:19	Objection: Relevance, as there is absolutely no claim in the Complaint that Mr. Booker or Mr. Morgan ever used any VGT code at Castle Hill in any manner; argumentative; calls for speculation
222:22 - 222:22	222:22 - 222:22	Objection: Relevance, as there is absolutely no claim in the Complaint that Mr. Booker or Mr. Morgan ever used any VGT code at Castle Hill in any manner; argumentative; calls for speculation
225:18 - 226:10	225:18 - 225:25	Objection: Relevance; document contains hearsay
239:8 - 240:18	239:8 - 240:18	Objection: Relevance; hearsay calls for speculation
242:20 - 242:23	242:20 - 242:23	Objection: Relevance; hearsay
243:21 - 245:22	243:21 - 245:22	Objection: Relevance; hearsay
248:15 - 248:20	248:15 - 248:20	Objection: Relevance; hearsay
251:10 - 251:15		
251:18 - 251:19		
252:18 - 253:9	252:18 - 253:9	Objection: Relevance, as Mr. Booker is not a party to this lawsuit and there are no allegations in the complaint that he has violated this agreement; hearsay
253:24 - 258:4	253:24 - 258:4	Objection: Relevance, as Mr. Booker is not a party to this lawsuit and there are no allegations in the complaint that he has violated this agreement; hearsay; argumentative; calls for legal conclusions; calls for lay opinion testimony
268:10 - 269:1	268:10 - 269:1	Objection: Relevance, as Mr. Booker is not a party to this lawsuit and there are no allegations in the complaint that he has violated this agreement; hearsay

**Defendants' Counter-Designations and Plaintiff's Objections**

<b>Brandon Booker</b> <b>July 10, 2018</b>	
<b>Defendants' Counter-Designations</b>	<b>Plaintiff's Objections</b>
13:19 - 14:5	IC; P; R
23:1 - 23:15	I; IC; P; R
52:24 - 53:11	
60:1 - 60:8	F
60:15 - 60:17	F
61:25 - 62:1	
75:25 - 76:2	
79:12 - 79:22	
85:12 - 85:21	
87:20 - 89:16	F; IO; P; R
90:18 - 90:25	P; R
91:4 - 92:6	P; R
119:22 - 120:5	
121:9 - 121:14	
122:19 - 122:24	
129:8 - 129:24	F
132:9 - 132:12	
134:17 - 134:20	
168:15 - 169:5	
170:17 - 170:22	
184:23 - 185:1	
190:3 - 190:7	
198:25 - 199:4	
205:3 - 205:11	
207:1 - 207:5	
213:9 - 214:4	F; IO
241:8 - 241:16	
251:20 - 251:23	
253:10 - 253:13	

August 23, 2019

Respectfully submitted,

/s/ Gary M. Rubman

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**CERTIFICATE OF SERVICE**

I hereby certify that on August 23, 2019, I caused the foregoing to be served on the following counsel for Defendants via ECF:

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